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FM AMEMBASSY TUNIS
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INFO ARAB LEAGUE COLLECTIVE

S E C R E T SECTION 01 OF 03 TUNIS 002120

DEPARTMENT FOR NEA A/S INDYK AND PDAS JONES
ALSO FOR NEA/ENA
PARIS FOR BLEAF
LONDON FOR BSUTPHIN

E.O. 12958: DECL:5/20/09

TAGS: PGOV PREL TS

SUBJECT: BEN ALI SUCCESSION

REF: STATE 68334

(U) CLASSIFIED BY AMBASSADOR ROBIN L. RAPHEL BASED ON 1.5 (B)
AND (D).

SUMMARY AND COMMENT

¶1. (S) IMMEDIATE SUCCESSION ISSUES ARE LESS OF A CONCERN IN TUNISIA THAN SOME OTHER COUNTRIES IN THE REGION. GIVEN HIS ROBUST HEALTH, THE 62-YEAR-OLD BEN ALI IS EXPECTED ALC (#)FOURTH TERM OF OFFICE UNTIL WELL INTO HIS THIRD. IN THE CASE OF THE DEATH OR INCAPACITATION OF BEN ALI, THE CONSTITUTION CALLS FOR THE PRESIDENT OF THE CHAMBER OF DEPUTIES TO BE APPOINTED AS A INTERIM PRESIDENT WITH LIMITED POWERS UNTIL NEW ELECTIONS CAN BE SCHEDULED. THIS WOULD PROBABLY BE FOLLOWED SCRUPULOUSLY, GIVEN RULING PARTY DISCIPLINE AND LOYALTY AND TUNISIA'S LARGEY APOLITICAL HOMOGENEOUS POPULATION. WHILE RULING PA"QM[BW9VQB THAT THE LACKLUSTER OPPOSITION FIGURES WOULD POSE ANY SERIOUS CHALLENGE TO THE POWERFUL (AND POPULAR) RCD PARTY MACHINE. MOREOVER, THE ONCE STRONG ISLAMIC MOVEMENT REMAINS TOO WEAK TO THREATEN AN RCD-ANNONCED SUCCESSOR TO BEN ALI IN THE NEAR FUTURE. THE MILITARY DOES NOT PLAY AN INDEPENDENT POLITICAL ROLE. IN SHORT, WE DO NOT SEE SUCCESSION POSING ANY SERIOUS THREAT TO TUNISIA'S INTERNAL STABILITY OR ITS FRIENDLY RELATIONS WITH THE UNITED STATES. END SUMMARY AND COMMENT.

BEN ALI: IN VIGOROUS HEALTH,
HE CAN SERVE OUT A NEW FIVE-YEAR TERM -- AND BEYOND?

REPORTEDLY DYING, PREDECCESSOR. ALL EXPECTATIONS ARE THAT BEN ALI, UP FOR RE-ELECTION ON OCTOBER 24, WILL BE ABLE TO SERVE OUT HIS THIRD FIVE-YEAR TERM AS PRESIDENT. (BEN ALI HAS BEEN IN OFFICE SINCE NOVEMBER 1987, BUT IN THE PERIOD BEFORE 1989 ELECTIONS HE WAS FINISHING OUT BOURGUIBA'S FINAL TERM.)

¶3. (S) WE ARE NOT AWARE OF ANY CURRENT HEALTH CONSTRAINTS WHICH WOULD PREVENT HIM FROM SERVING WELL BEYOND THAT TERM'S EXPIRATION IN 2004, ALTHOUGH A FOURTH TERM WOULD REQUIRE A CONSTITUTIONAL CHANGE. THIS WOULD NOT LIKELY BE AN OBSTACLE, AS BEN ALI'S RULING RCD PARTY WILL CONTROL ENOUGH SEATS IN THE CHAMBER OF DEPUTIES AFTER THE OCTOBER 1999 ELECTIONS TO AMEND THE CONSTITUTION TO ALLOW BEN ALI TO RUN AGAIN, OR HE COULD USE A NEW CONSTITUTIONAL PROVISION ALLOWING PLEBISCITES FOR ISSUES OF NATIONAL IMPORTANCE TO ARRANGE FOR "POPULAR DEMAND." BUT WELL-INFORMED TUNISIANS ARE DIVIDED OVER WHETHER, IN FACT, BEN ALI WOULD WANT A FOURTH TERM IN OFFICE, AND HE HIMSELF MAY NOT BE SURE. GIVEN HIS CAUTIOUS TEMPERAMENT AND DESIRE TO WEIGH ALL MAJOR DECISIONS CAREFULLY, TOGETHER WITH HIS CONCERN NOT TO BECOME A "LAME DUCK" PREMATURELY, THE ODDS ARE THAT BEN ALI WILL NOT REVEAL HIS HAND UNTIL WELL INTO HIS NEXT TERM OF OFFICE.

LEGAL MECHANISMS FOR SUCCESSION IN PLACE:
WEAK INTERIM PRESIDENT TO OVERSEE ELECTIONS

¶4. (U) IF THE TUNISIAN PRESIDENT DIES IN OFFICE OR IS SUBJECT TO TOTAL INCAPACITATION ("EMPECHEMENT ABSOLU"), ARTICLE 57 OF THE TUNISIAN CONSTITUTION STIPULATES THAT THE PRESIDENT OF THE CHAMBER OF DEPUTIES WILL ASSUME THE FUNCTIONS OF PRESIDENT "PAR INTERIM" FOR A PERIOD WHICH MAY VARY BETWEEN 45 AND 60 DAYS. A POSITION WEAK BY DESIGN, THE INTERIM PRESIDENT IS RESTRICTED FROM PERFORMING SOME FUNCTIONS, SUCH AS DISSOLVING PARLIAMENT, CALLING FOR REFERENDUMS, OR DISMISSING THE GOVERNMENT. THE INTERIM PRESIDENT IS TO OVERSEE ELECTIONS WHICH WILL ELECT THE NEW PRESIDENT FOR A FULL FIVE-YEAR MANDATE. EVEN IF THE INTERIM PRESIDENT RESIGNS, HE IS NOT PERMITTED TO RUN IN THE PRESIDENTIAL ELECTIONS.

¶5. (C) BEFORE THIS SUCCESSION ARRANGEMENT WAS INSTITUTED VIA A CONSTITUTIONAL AMENDMENT ON JULY 25, 1988, THE TUNISIAN CONSTITUTION STIPULATED THAT ALL POWERS AND DUTIES WOULD DEVOLVE TO THE PRIME MINISTER IN THE CASE OF DEATH OF INCAPACITATION OF THE PRESIDENT, AND THAT THE PRIME MINISTER WOULD SERVE AS PRESIDENT FOR THE REMAINDER OF THE PRESIDENTIAL TERM. THIS CLAUSE WAS INVOKED ON NOVEMBER 7, 1987, WHEN THEN-PRIME MINISTER BEN ALI NUDGED ASIDE BOURGUIBA, WHO WAS DECLARED BY DOCTORS AS MENTALLY UNFIT TO CONTINUE IN OFFICE, IN THE BLOODLESS COUP NOW KNOWN IN ARABIC AS "THE BLESSED CHANGE."

¶6. (S) IN THE EVENT OF THE DEATH OR INCAPACITATION OF THE PRESIDENT, WE BELIEVE THAT THE CONSTITUTIONAL ARRANGEMENTS EXPLAINED ABOVE WOULD BE SCRUPULOUSLY FOLLOWED, AS WOULD PROVISIONS FOR ELECTIONS SHOULD BEN ALI STEP DOWN IN 2004, AS THE CONSTITUTION REQUIRES. ONE WAY OR ANOTHER, THERE WILL BE ELECTIONS, AND THE RCD-ANNOUNCED CANDIDATE WILL LIKELY WIN (EVEN IF THE ENTIRE CAMPAIGN PERIOD AND ELECTIONS PASSED OUR MOST RIGOROUS TEST OF "FREE AND FAIR ELECTIONS"): THE RULING RCD PARTY AND MILITARY/POLICE ARE VERY WELL DISCIPLINED AND DEVOTED TO THE CURRENT STRUCTURE AND ARE LIKELY TO FOCUS ON A SINGLE CANDIDATE RATHER THAN SPLINTERING INTO RIVAL GROUPS. THE PARTY REMAINS POPULAR, AS MOST TUNISIANS CREDIT IT FOR BRINGING PROSPERITY AND STABILITY. (A SHARP RISE IN UNEMPLOYMENT OR SERIOUS ECONOMIC RECESSION COULD CHANGE THE FORMULA, BUT SO FAR ECONOMIC GROWTH REMAINS SOLID.)

¶7. (S) MOREOVER, THE GENERALLY APOLITICAL TUNISIAN POPULATION IS HOMOGENEOUS AND FREE OF ETHNIC/RELIGIOUS/TRIBAL DIFFERENCES WHICH IN SOME COUNTRIES HAS LED TO MORE LIVELY POLITICS OR DOMESTIC INSTABILITY. THE ONCE STRONG ISLAMIC OPPOSITION IS WEAK, ITS LEADERS EXILED OR IN PRISON, AND IN NO POSITION TO TAKE ADVANTAGE OF A SUCCESSION. THE LEGAL OPPOSITION PARTIES WILL INCREASE THEIR PRESENCE IN THE CHAMBER OF DEPUTIES AFTER OCTOBER ELECTIONS BECAUSE OF A CONSTITUTION CHANGE INITIATED BY BEN ALI TO RESERVE 20 PERCENT OF CHAMBER SEATS FOR OPPOSITION PARTIES. HOWEVER, THEY ARE IN NO POSITION TO WIN THE PRESIDENCY IN ELECTIONS AGAINST THE WELL ORGANIZED AND POPULAR RCD -- NOR DO THEY HAVE THE ABILITY TO SEIZE THE REINS OF GOVERNMENT BY FORCE. IN SHORT, IT IS UNLIKELY THAT A SUDDENLY VACATED PRESIDENCY WOULD LEAD TO CHAOS, BECAUSE THERE IS NO APPARENT BASIS FOR^{KL[} QUAN OBVIOUS SUCCESSOR BY NAME. IN FACT, FOR RCD (#) GOT OFFICIALS TO ACCUMULATE TOO MUCH POWER IN THEIR HANDS IS NOT A CAREER-ENHANCING MOVE: MANY PEOPLE THINK THAT THE RECENT REMOVAL OF FINANCE MINISTER JERI AND ENVIRONMENT MINISTER STEMMED AT LEAST IN PART FROM THEIR INDEPENDENT POWER BASES (AS MLIKA WELL AS PLAUSIBLE ALLEGATIONS OF CORRUPTION). INDEED, AMONG THE CURRENT CROP OF GOT MINISTERS, MOST ARE TECHNOCRATS WHO ROSE THROUGH THE BUREAUCRACY AND NOT POLITICIANS WITH POWER AND POPULARITY IN THEIR OWN RIGHT. JUSTICE MINISTER KALLEL, ONCE AN EXTREMELY CLOSE CONFIDANT TO BEN ALI, WAS RUMORED TO HAVE BECOME SO STRONG IN HIS PREVIOUS POSITION AS AN ADVISOR TO THE PRESIDENT THAT HE WAS "SIDELINED" TO A MINISTRY WHERE HIS RESPONSIBILITIES WERE MORE NARROWLY DRAWN. THE PRIME MINISTER IS A MUCH WEAKER POSITION THAN IT WAS WHEN BEN ALI WAS IN THAT OFFICE.

¶9. (C) TODAY, PRESIDENTIAL ADVISORS MOHAMED JEGHAM AND ABDELWAHEB ABDALLAH ARE PERHAPS THE MOST POWERFUL IN BEN ALI'S IMMEDIATE CIRCLE, BUT THEY, TOO, DERIVE THEIR POWER FROM BEN ALI AND DO NOT ENJOY THE SORT OF INDEPENDENT POWER BASE WHICH BEN ALI HAD BEFORE THE NOVEMBER 7, 1987 COUP. OF THE MINISTERS, MINISTER OF DEFENSE HABIB BEN YAHIA HAS SUCCEEDED IN PLACING PROTEGES AS BOTH MINISTER OF FOREIGN AFFAIRS AND HEAD

OF THE RCD, BUT HE IS A CAREER DIPLOMAT, NOT A POLITICIAN. MINISTER OF ENVIRONMENT FAIZA KEFI IS ONE OF THE MOST AMBITIOUS, SAVVY POLITICIANS WE KNOW, BUT TUNISIA, FOR ALL ITS PROGRESSIVE POLICIES, IS NOT READY FOR A WOMAN PRESIDENT. WHILE MRS. BEN ALI HAS MANAGED TO INSERT CLOSE FAMILY MEMBERS INTO INFLUENTIAL POSITIONS. THE RESULTING CORRUPTION, TOLERATED WITHIN CERTAIN LIMITS BY BEN ALI, HAS LED TO REVULSION AMONG MANY TUNISIANS. THEREFORE, WE STRONGLY DOUBT ANY OF HER RELATIVES WOULD GET THE BLESSING OF THE RCD LEADERSHIP TO SUCCEED BEN ALI.

NO SERIOUS THREAT TO U.S. INTERESTS

¶10. (C) IN SPITE OF THE FACT THAT THERE IS NO OBVIOUS HEIR APPARENT WHO WOULD SERVE AS AN RCD CANDIDATE IN SUCCESSION ELECTIONS, WE DO NOT ENVISION A SERIOUS THREAT TO U.S. INTERESTS IN TUNISIA'S EVENTUAL TRANSITION FROM THE BEN ALI ERA. TUNISIANS ARE GENERALLY PLEASED WITH THE DIRECTION OF THEIR COUNTRY, AND ANY FORSEEABLE SUCCESSOR TO BEN ALI CAN EXPECT TO FACE STRONG RESISTANCE FROM BOTH ELITES AND THE GENERAL PUBLIC TO ANY ATTEMPT TO DEVIATE FROM TUNISIA'S MODERATE POLICIES AND ITS FRIENDLY RELATIONS WITH THE UNITED STATES AND EUROPE. WHAT WE HOPE TO SEE BY THE TIME OF ANY SUCCESSION IS A BROADER AND DEEPER DEMOCRATIC PROCESS. WE SHOULD CONTINUE TO USE EVERY OPPORTUNITY TO ENCOURAGE THE GOT TO EXPAND PLURALISM AND FREEDOM OF EXPRESSION AND PRESS, IN ORDER TO GIVE THE GENERALLY MODERATE AND PRO-WESTERN TUNISIAN CITIZENS THE OPORTUNITY TO PARTICIPATE IN, AND REINFORCE, A SMOOTH SUCCESSION OF POWER THAT REFLECTS DEMOCRATIC NORMS.

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